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PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

69

Application Number

10/516,780

Filing Date

December 3, 2004

First Named Inventor

Bernard ALLAN

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

016325-013600US

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/ Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Return Postcard; Communication Under 37 CFR 1.821-1.825 and Preliminary Amendment (4 pgs.); sequence listing diskette; printed sequence listing (62 pgs.); and copy of Notice to Comply (2 pgs.).

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Jean M. Lockyer, Ph.D.

Date

09/06/2005

Reg. No.

44,879

**CERTIFICATE OF TRANSMISSION/MAILING**

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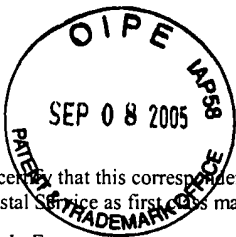
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Date

09/06/2005



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PATENT  
Attorney Docket No.: 016325-013600US  
Customer No.: 20350

On

TOWNSEND and TOWNSEND and CREW LLP

By:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ALLAN *et al.*

Application No.: 10/516,780

Filed: December 3, 2004

For: METHODS OF DIAGNOSING  
AND TREATING DIABETES AND  
INSULIN RESISTANCE

Confirmation No. 2827

Examiner: Not yet assigned

Art Unit: Not yet assigned

COMMUNICATION UNDER

37 C.F.R. §§ 1.821-1.825

AND

PRELIMINARY AMENDMENT

Ms. India L. Evans  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, mailed July 5, 2005, Applicants submit herewith the required paper copy and computer readable copy of the Substitute Sequence Listing. Please amend the specification as follows.

Appl. No. 10/516,780

Amdt. dated September 6, 2005

Reply to Notification to Comply of July 5, 2005

PATENT

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks** begin on page 4 of this paper.